

REMARKS/ARGUMENTS

Claims 1-21 are pending in the application and have been rejected. Claims 1- 4, 8-11, 15-18, and 20 have been amended. Applicant respectfully requests reconsideration.

Rejections under 35 U.S.C. §102.

The Office Action has rejected claims 1, 3-8, 10-15, and 17-21 and under 35 U.S.C. §102 as being anticipated by U.S. Patent Application 2004/0128685 to Hassell. Applicant respectfully traverses the rejection for the following reasons.

Claim 1 is not anticipated by Hassell because it does not teach or suggest the use of a single actuation to record the selected program and related information in a persistent removable storage device. Paragraph 0006 of Hassell only discloses digital storage it says nothing about a removable storage device. Similarly, paragraph 0008 says nothing about a single actuation. Moreover, claim 1 has been amended to state that the actuation does not require the use of any menus or options. This is believed to have been implicit in the original language but is added to increase clarity. That is not true about Hassell. See e.g., claims 35, 53, and 54 of Hassell all of these require using a program guide which provides a menu or options.

Rejections under 35 U.S.C. §103.

The Office Action rejected claims 2, 9, and 16 as unpatentable over Hassell. Claim 2 is dependent on claim 1 and is patentable for the foregoing reasons. Moreover, claim 2 requires in the method of claim 1 that the single selection includes a single pressing of a selected portion on a control panel of the STB. The Office Action concedes that Hassell does not disclose the limitation of claim 2. However, the Office Action contends that Hassell teaches this element and that it would have been obvious to one skilled in the art to modify Hassell. The reason cited is that Hassell's teachings encompass this teaching. In other words, Hassell reads on claim 2. That is not the test

for obviousness. Claims 9 and 16 are patentable for the foregoing reasons.

For the foregoing reasons, Applicant respectfully requests allowance of the pending claims and that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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I hereby certify that this Amendment and Response to Office Action, and any documents referred to as attached therein, are being deposited with the United States Postal Office on the date set forth below with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: March 14, 2006

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